appear to be directed to DNA sequences encoding the protein IREN. Group 4 refers to a DNA sequence as depicted in Figure 6, while Figure 6 has no DNA sequence. Groups 2 and 6 appear to be directed to the same thing, i.e., DNA sequences encoding the protein IREN-10B. Groups 5 and 7 appear to be directed to the same thing. Figure 6 shows the protein sequence encoding the IREN protein. To the extent that it is understood, this restriction requirement is respectfully traversed.

In order to be responsive, applicants hereby elect the invention of Group 1 with traverse.

Attached hereto are the International Search Report, the Written Opinion and the International Preliminary Examination Report issued in the international phase of the present application. It can be seen from the International Search Report that the examiner considered there to be only two groups of inventions when applying the same PCT Rule 13.1. The examiner considered claims 1-41 and 43-46 to be a single invention and claim 42 to be a second invention. The examiner is urged to accept this definition of a single general inventive concept as used by European examiner in the international phase, in which case applicants elect the first of these two groups, including claims directed to the DNA sequence encoding an IREN protein capable of binding to TRAF and corresponding polypeptides, related vectors, recombinant

host cells, antibodies, antisense, ribozymes, pharmaceutical compositions and therapeutic applications, methods of screening for ligands and modulators.

At the very least, the three IREN proteins, and the corresponding DNA, should be examined together as they are related to a single inventive concept according to the definition quoted by the examiner from the Guidelines. They all have a common property and they have a common structure, i.e., a significant structure is shared by all the alternatives. See paragraph 10.53 (Example 33: Multiple Structurally and Functionally Related Polynucleotides) of the PCT Guidelines, Chapter 10, Unity of Invention. It makes explicit that polynucleotides that share a significant portion of the sequence are considered to share a "significant structural element," and, if they share a common property, they should be examined together.

The examiner's attention is invited to Figure 9 of the present specification, where it can be seen that the great majority of the sequence of each of the isoforms of IREN are shared by all of them. Note that the caption to Figure 9 refers to IREN-10B and IREN-E as isoforms of IREN. In view of the very substantial common sequence and the common property or activity, IREN and its isoforms share a single inventive concept and should be examined together. Thus, the DNA claims

of Groups 1, 2, 3, 4 and 6 should all be examined in this case.

Furthermore, the protein claims of Groups 5 and 7 should also be examined in this case as proteins and their corresponding DNA are considered under PCT unity of invention to share a common inventive concept. See paragraph 10.59 (Example 39: Protein and its Encoding DNA) of the PCT Guidelines. As stated therein, because Protein X makes a contribution over the prior art, Protein X and the DNA encoding Protein X share a special technical feature.

Logically, a novel protein and an antibody specific thereto share a common structural feature to the same extent that a protein shares a special technical feature with the corresponding DNA. Accordingly, Group 8, drawn to antibodies, should also be examined with the elected DNA and protein. In addition, the antisense oligonucleotides of Group 15 should be examined in this case for the same reason that the antibodies should be examined. Furthermore, the antisense oligonucleotides share a common structure with the DNA, and it would not take any additional searching in order to search for such antisense oligonucleotides (Group 15).

Additionally, the rules state that, in addition to an independent claim for a given product, an independent claim for a process specially adapted for the manufacture of the

product and an independent for a use of the product can be examined in the same case. Accordingly, the method-of-making claim 18 (which was not included in any group) and the first method-of-use claims (Group 9) should also be examined in this case.

For all of these reasons, reconsideration and withdrawal of this restriction requirement and prompt consideration and allowance of at least all of claims 1-22, 28-33 and 35-39 are earnestly solicited.

Respectfully submitted,

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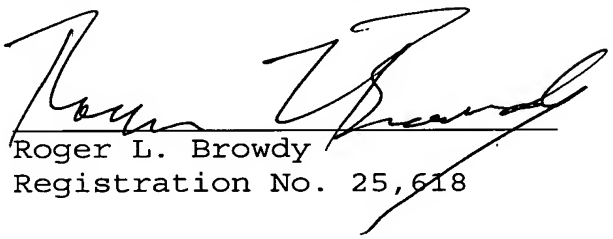
By 
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